

REGULAR MEETING OF THE
OKLAHOMA WORKERS' COMPENSATION
COMMISSION

APPEALS

Wednesday October 11, 2017
2:30 p.m.
Commission Chambers
1915 N. Stiles Ave.
Oklahoma City, Oklahoma
www.wcc.ok.gov

AGENDA

CALL TO ORDERPresiding Appellate Officer, Chairman Liotta

ROLL CALLPresiding Appellate Officer, Chairman Liotta

BUSINESSPresiding Appellate Officer, Chairman Liotta

A. MINUTES:

- The drafted Minutes of the Regular Appeal Meeting of September 15, 2017, and the drafted Minutes of the Special Appeals Meeting of September 29, 2017, will be considered for approval.

THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION AND ACTION, IF ANY, DEEMED APPROPRIATE BY THE COMMISSION

B. Commission Consideration of Adoption of Final Order in the Following Case:

**O'Neal R. Gillispie v. Estes Express Lines Inc. & New Hampshire Ins. Co.,
File #CM2014-03399K**

Claimant and Respondent both filed an appeal from the order issued by Administrative Law Judge Sommer. Joey Chiaf represented the Claimant. J. Nick Crews represented the Respondent.

After hearing oral arguments on September 15, 2017, the Commission took preliminary action to remand the Administrative Law Judge's order for specific findings related to Claimant's PTD tatus and instructed Commission Counsel or other staff member to draft a proposed order to that effect. A

proposed order has been drafted and distributed to the Commissioners for consideration of adoption.

Possible Action:

Possible action may include, but is not limited to: taking no action, adopting the order as proposed or as modified at the hearing, or continuing the matter.

Ismael Hernandez v. DCP Midstream & DCP Midstream, LLC, & American Zurich Insurance, File #CM2015-04163A

Respondent filed an appeal from the order issued by Administrative Law Judge Egan. G. Todd Ralstin and L. Randall Lee represented the Claimant. Gary D. Long and David Brenner represented the Respondent.

After hearing oral arguments on September 15, 2017, the Commission en Banc took this matter under advisement for continued action at a future meeting. After reviewing the record, considering the arguments of counsel and deliberating, a proposed order has been drafted and distributed to the Commissioners for consideration of adoption.

Possible Action:

Possible action may include, but is not limited to: taking no action, adopting the order as proposed or as modified at the hearing, or continuing the matter.

Luis Solorzano v. Action Group Staffing & CompSource Mutual Ins. Co. (FKA CompSource Oklahoma), File #CM2015-08364L

Claimant filed an appeal from the order issued by Administrative Law Judge Sommer. Arthur Adams represented the Claimant and Jennifer Ahrend represented the Respondent.

After hearing oral arguments on September 15, 2017, the Commission took preliminary action to modify the Administrative Law Judge's order to recalculate Claimant's average weekly wage based on the method provided in 85A O.S. §59(A)(2) and (B) and instructed Commission Counsel or other staff member to draft a proposed order to that effect. A proposed order has been drafted and distributed to the Commissioners for consideration of adoption.

Possible Action:

Possible action may include, but is not limited to: taking no action, adopting the order as proposed or as modified at the hearing, or continuing the matter.

D. Announcements

Commission's next regular business meeting is Thursday, November 16, 2017. Commission's next meeting regarding Appeals is scheduled for Friday, October 20, 2017.

ADJOURNMENT.....Presiding Appellate Officer, Chairman Liotta